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Entered on Docket
January 25, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES

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US Bank National Association, as Trustee for CSFB HEAT 2006-6
09-72372 / 1205304783

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEVADA**

In Re:

Rosa Haro

Debtors.

09-15508-lbr

Motion no.
Date:
Time:

Chapter 13

ORDER VACATING AUTOMATIC STAY

Pursuant to the Declaration re Breach of Condition filed on December 17, 2009 and Debtors failure to cure the default prior to its expiration, and good cause appearing.

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceeding is immediately vacated and extinguished for all purposes as to
3 Secured Creditor, US Bank National Association, as Trustee for CSFB HEAT 2006-6 its assignees
4 and/or successors in interest, and Secured Creditor may proceed with a foreclosure of and hold a
5 Trustee's Sale of the subject property, generally described as 6201 Smoke Ranch Rd. , Las Vegas NV
6 and legally described as follows:

7 PARCEL I:
8 LOT THREE (3) IN BLOCK ONE (I), OF INDEPENDENT SQUARE AMENDED AS
9 SHOWN BY MAP THEREOF ON FILE IN BOOK 25 OF PLATS, PAGE 41 IN THE OFFICE OF
THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

10 EXCEPTING THEREFROM ALL MINERALS, OIL AND GAS RIGHTS ON THE PROPERTY
11 HEREINABOVE DESCRIBED, THEY FORMING NO PART OF THIS
12 CONVEYANCE. FURTHER WITH NO RIGHT OF ENTRY ON THE ABOVE DESCRIBED
PREMISES, INsofar AS MINERAL, OIL AND GAS RIGHTS ARE CONCERNED.

13 PARCEL II:
14 A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, USE AND ENJOYMENT IN AND TO
15 LOT TWENTY-ONE (21) IN BLOCK ONE (I) OF INDEPENDENT SQUARE
16 AMENDED AS SHOWN BY MAP THEREOF ON FILE IN BOOK 25 OF PLATS, PAGE 41 IN THE
17 OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA AND AS DESCRIBED
18 IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
19 RECORDED NOVEMBER 21, 1979 AS DOCUMENT NO. 1109842 AND THAT AMENDED
20 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED JULY
18,1984 AS DOCUMENT NO. 1916838, OFFICIAL RECORDS.

21 pursuant to applicable State Laws, and thereafter commence any action necessary to
22 obtain complete possession of the subject property.

23 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**
24 **give Debtors at least five business days' notice of the time, place and date of sale.**

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
26 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee
of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its

1 secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the
2 foreclosure sale.

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4 Submitted by:

5 Wilde & Associates

6
7 By  #10796

GREGORY L. WILDE, ESQ.

8 Attorney for Secured Creditor

9 212 South Jones Boulevard

10 Las Vegas, Nevada 89107

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1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor